

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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SS&C TECHNOLOGIES HOLDINGS, INC., : Civil Case No: 22-cv-2009
and ADVENT SOFTWARE, INC., :
v. : Hon. Valerie E. Caproni
Plaintiffs, : Magistrate Judge Ona T. Wang
ARCESIUM LLC, :
Defendant. : ORAL ARGUMENT REQUESTED
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NOTICE OF DEFENDANT'S MOTION TO DISMISS COMPLAINT

PLEASE TAKE NOTICE that the undersigned attorneys for Defendant Arcesium LLC in the above-captioned matter will move this Court, before the Honorable Valerie E. Caproni, United States District Judge for the Southern District of New York, 40 Foley Square, New York, New York, at a date and time to be determined by this Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing with prejudice, in whole or in part, the claims asserted in the Complaint. In the event Defendant's motion as to Plaintiffs' federal trade secret misappropriation claim is granted, Defendant also moves this Court for an order pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure dismissing Plaintiffs' state law claims for lack of subject matter jurisdiction.

The grounds for these motions are that the Complaint should be dismissed because (1) it fails to state a claim upon which relief can be granted, and (2) if Plaintiffs' federal trade secret misappropriation claim is dismissed, the Court lacks subject matter jurisdiction over the state law claims Plaintiffs have asserted. The specific grounds for Defendant's Motions are set forth in the Memorandum of Law in Support of Arcesium LLC's Motion to Dismiss the Complaint.

PLEASE TAKE FURTHER NOTICE that movant requests oral argument of this motion.

Dated: April 11, 2022

Respectfully submitted,

Of Counsel:

GORDON REES SCULLY
MANSUKHANI, LLP
Richard L. Green (*pro hac vice* admission to
be sought)
95 Glastonbury Blvd.
Suite 206
Glastonbury, CT 06033
(860) 278-7448
rlgreen@grsm.com

By: /s/ James J. Pastore
James J. Pastore
Megan K. Bannigan
919 Third Avenue
New York, NY 10022
(212) 909-6000
jjpastore@debevoise.com
mkbannigan@debevoise.com

Counsel for Defendant Arcesium LLC